

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

RAOUL LAFOND,

Petitioner,

v.

M. ARVIZA,

Respondent.

No. 2:22-cv-1061 KJN P

ORDER

Petitioner, a federal prisoner proceeding pro se, filed an application for a writ of habeas corpus pursuant to 28 U.S.C. § 2241, together with a request to proceed in forma pauperis.

In his application, petitioner alleges denial of adequate medical care at Federal Correctional Institution (“FCI”) Mendota. Because petitioner challenges conditions of confinement, the undersigned construes this action as a Bivens action. Bivens v. Six Unknown Named Agents of Fed. Bureau of Narcotics, 403 U.S. 388 (1971); Shook v. Apker, 472 F. App’x 702, 702–03 (9th Cir. 2012) (regardless of the relief requested, federal prisoner’s claims of inadequate medical care “concern the conditions of his confinement and are properly brought under Bivens”).

The alleged violations took place in Fresno County, which is part of the Fresno Division of the United States District Court for the Eastern District of California. See Local Rule 120(d).

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Pursuant to Local Rule 120(f), a civil action which has not been commenced in the proper division of a court may, on the court's own motion, be transferred to the proper division of the court. Therefore, this action will be transferred to the Fresno Division of the court. In light of 1996 amendments to 28 U.S.C. § 1915, this court will not rule on petitioner's request to proceed in forma pauperis.


Good cause appearing, IT IS HEREBY ORDERED that:

1. This court has not ruled on petitioner's request to proceed in forma pauperis;
2. This action is transferred to the United States District Court for the Eastern District of California sitting in Fresno; and
3. All future filings shall reference the new Fresno case number assigned and shall be

filed at:

United States District Court  
Eastern District of California  
2500 Tulare Street  
Fresno, CA 93721

Dated: June 27, 2022

  
KENDALL J. NEWMAN  
UNITED STATES MAGISTRATE JUDGE

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